

FILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAH

APR 10 2019

D. MARK JONES, CLERK

BY (#8434)

DEPUTY CLERK

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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL SULIMAN HAIG
BABIKYAN,

Defendant.

Case No. 2:15CR00229 DB

ORDER OF JUDICIAL REMOVAL

Judge Dee Benson

Upon the application of the United States of America, by Vernon G. Stejskal, Assistant United States Attorney; upon the Factual Allegations in Support of Judicial Removal; upon the consent of MICHAEL SULIMAN HAIG BABIKYAN ("the defendant") and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of Jordan and a citizen of Jordan.
3. The defendant was admitted to the United States at Chicago, IL, on or about July 14, 2013 as a visitor.

4. The defendant remained in the United States beyond January 13, 2014 without authorization from the Department of Homeland Security.
5. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, District of Utah, of Count One of the Indictment, charging a violation of Title 21 United States Code, Section 841(a)(1) and § 846.
6. The maximum sentence for a violation of Title 21 United States Code, Section 841(a)(1) and § 846 is ten (20) years' imprisonment.
7. The defendant is, and at sentencing will be, subject to removal from the United States pursuant to Section 237 of the Immigration and Nationality Act of 1952 ("INA"), as amended, 8 U.S.C. § 1227(a)(1)(B), in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you have remained in the United States for a time longer than permitted, in violation of this Act or any other law of the United States.
8. The defendant has waived his right to notice and a hearing under Section 238(c) of the INA, 8 U.S.C. § 1228(c).
9. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), that the defendant is ordered removed from the United States to Jordan promptly upon his sentencing.

Dated: April 10, 2019



THE HONORABLE DEE BENSON
UNITED STATES DISTRICT JUDGE